

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:

DR. SVOBODA ALEXANDRA
DIMITROVA/DR. PETER MOECK,

VS.

AMERITECH ILLINOIS,

Complaint as to unjustified charges for \$378.48 and overpayment by \$95.00 in Chicago, Illinois.

Chicago, Illinois
June 13, 2002

Met pursuant to notice at 10:00 a.m.

BEFORE:

JOHN RILEY, Administrative Law Judge.

APPEARANCES:

DR. PETER MOECK
1149 West Taylor Street
Chicago, Illinois 60607

Appearing for the Complainant;

MR. JAMES HUTTENHOWER
225 West Randolph Street, Suite 25-D
Chicago, Illinois 60606

Appearing for the Respondent.

SULLIVAN REPORTING COMPANY, by
Steven T. Stefanik, CSR

1 JUDGE RILEY: Pursuant to the direction of the
2 Illinois Commerce Commission, I now call Docket
3 02-0358. This is a complaint by Dr. Svoboda,
4 Alexandra Dimitrova and Dr. Peter Moeck versus
5 Illinois Bell Telephone Company as to unjustified
6 charges for \$378.48 and overpayment by \$95 in
7 Chicago, Illinois.

8 Mr. Huttenhower, would you enter an
9 appearance for record, please.

10 MR. HUTTENHOWER: James Huttenhower,
11 H-u-t-t-e-n-h-o-w-e-r, appearing on behalf of
12 Illinois Bell, 225 West Randolph Street, Suite
13 25-D, Chicago, Illinois 60606. (312) 727-1444.

14 JUDGE RILEY: Okay. And also appearing is
15 Dr. Peter Moeck, who is one of the complainants;
16 but as I noted just moments ago on the record -- or
17 off the record, Dr. Moeck is not an account holder
18 with regard to the number in question. And as a
19 result, I've informed him and Mr. Huttenhower that
20 Dr. Moeck is not able to represent the account
21 holder. Only an attorney in Illinois can appear or
22 the complainant can appear pro se.

1 I would ask you this:

2 When will Dr. Dimitrova be back and able

3 to pursue her complaint?

4 DR. PETER MOECK: I think it's the 28th of this

5 month.

6 JUDGE RILEY: The 28th of June?

7 DR. PETER MOECK: Yeah.

8 JUDGE RILEY: Okay. That'll be on a Friday.

9 And she's out of the country at this

10 time, you say.

11 DR. PETER MOECK: She is out of the country on

12 a vacation in Europe and we didn't know about it in

13 advance. Otherwise --

14 JUDGE RILEY: All right.

15 DR. PETER MOECK: -- she would have

16 rescheduled.

17 JUDGE RILEY: All right. This does not

18 preclude Mr. Huttenhower from having off-the-record

19 conversations with you with regard to -- I don't

20 know any -- I understand you were having a

21 conversation when I came in here; is that correct,

22 Mr. Huttenhower?

1 MR. HUTTENHOWER: Yes.

2 JUDGE RILEY: Has there been any headway, any
3 understanding, any --

4 MR. HUTTENHOWER: I had mentioned that we -- I
5 had inquired simply whether he had gotten a letter
6 from our executive appeals group about some actions
7 we'd taken with regard to the account and his
8 reaction to that letter, and he indicated that --
9 Dr. Moeck indicated that he would rather discuss
10 things on the record than off the record.

11 JUDGE RILEY: All right.

12 MR. HUTTENHOWER: And that's about when you
13 came in.

14 JUDGE RILEY: Okay. And, unfortunately.

15 DR. PETER MOECK: To be precise -- sorry.

16 JUDGE RILEY: Okay. No.

17 DR. PETER MOECK: We should talk in front of
18 you.

19 JUDGE RILEY: Right.

20 DR. PETER MOECK: I can't really distinguish
21 your legal terms.

22 JUDGE RILEY: I appreciate that.

1 The problem is, again, only the account
2 holder, the person whose name is on the account,
3 can do that in our proceedings.

4 DR. PETER MOECK: Okay.

5 JUDGE RILEY: Has your name ever been on this
6 particular account?

7 DR. PETER MOECK: No.

8 JUDGE RILEY: Okay.

9 DR. PETER MOECK: Well, I paid bills so --

10 JUDGE RILEY: I understand that, but --

11 DR. PETER MOECK: -- checks and that.

12 JUDGE RILEY: -- if you did so, it was
13 voluntary because the bills would have been for
14 Dr. Dimitrova.

15 So what we're going to have to do is set
16 another status when Dr. Dimitrova comes back here
17 or returns to the United States. That's all I can
18 do for now.

19 Today is the 13th. And if you say
20 Dr. Dimitrova's going to be back on the 28th --

21 DR. PETER MOECK: Yeah.

22 JUDGE RILEY: -- then we're going to be into

1 July, and we don't have the 4th or the 5th
2 available.

3 I have a matter up at 10:00 o'clock on
4 the 8th, Monday the 8th. However, that -- I don't
5 anticipate that going very long.

6 Is it possible that we could meet on the
7 8th at 11:00 a.m.?

8 MR. HUTTENHOWER: That would work with my
9 schedule.

10 DR. PETER MOECK: I can't tell for her, because
11 she's going -- she is must teach at the university.
12 So I can't --

13 JUDGE RILEY: Okay.

14 DR. PETER MOECK: Probably, she can rearrange,
15 but I simply don't know.

16 JUDGE RILEY: It would be beneficial if you
17 would have Dr. Dimitrova get in touch with me
18 immediately when she gets back --

19 DR. PETER MOECK: Okay.

20 JUDGE RILEY: -- and so that we can set this up
21 so that she can pursue her complaint.

22 DR. PETER MOECK: Can she write you with the

1 e-mail?

2 JUDGE RILEY: E-mail? Certainly.

3 DR. PETER MOECK: Okay.

4 JUDGE RILEY: I'll give you that address in a
5 minute; but for right now, I want to set this for
6 July 8th and that'll be a status again. So it
7 won't be an evidentiary hearing at that point.

8 Let me -- my e-mail address is in the
9 lower right corner there and it's got my phone
10 number on it.

11 DR. PETER MOECK: Thank you.

12 JUDGE RILEY: Well, as I said, and I'll repeat
13 for -- yet, again, that only Dr. Dimitrova can
14 pursue this complaint. So we'll have to put
15 everything on hold until her return.

16 And in the meantime, I'm going to set
17 this for July 8 at 10:00 a.m. for a status.

18 MR. HUTTENHOWER: 11:00, you mean? You said
19 11:00 a minute ago.

20 JUDGE RILEY: I'm sorry. I'm sorry. It's
21 11:00 a.m. That's right. 11:00 a.m.

22 It'll be at 11:00 a.m. And until

1 then --

2 DR. PETER MOECK: May I ask question, too?

3 JUDGE RILEY: Certainly.

4 DR. PETER MOECK: Can I come as well on that

5 date?

6 JUDGE RILEY: You can certainly accompany the

7 complainant.

8 DR. PETER MOECK: Yeah? And am I allowed to

9 speak?

10 JUDGE RILEY: Unfortunately, only as a sworn

11 witness or -- well, I guess just as a sworn

12 witness.

13 Anything that you would want to say

14 would have to be communicated through

15 Dr. Dimitrova, through the actual complainant,

16 through -- I'm sorry, through the actual account

17 holder. That's the problem here.

18 DR. PETER MOECK: So that during the meeting,

19 I'm basically not allowed to speak.

20 JUDGE RILEY: Right.

21 DR. PETER MOECK: Only -- or so we could go

22 outside and --

1 JUDGE RILEY: Exactly.

2 DR. PETER MOECK: -- ask can we have a
3 break and --

4 JUDGE RILEY: You can confer all you want.
5 Absolutely.

6 No, that's not a problem.

7 DR. PETER MOECK: Okay. Okay.

8 JUDGE RILEY: In other words, all of your
9 remarks will be heard, but just through the
10 channels. That's --

11 DR. PETER MOECK: Okay. Fine with me.

12 JUDGE RILEY: All right. So I will leave this
13 at July 8 at 11:00 a.m. and we'll reconvene for a
14 status at that time.

15 And if there's any problem in the
16 meantime, as I said, have Dr. Dimitrova contact me.
17 And if we have to set another date --

18 DR. PETER MOECK: Yeah. Yeah.

19 JUDGE RILEY: -- we can set one according to
20 her schedule.

21 DR. PETER MOECK: Well, she will have a bit of
22 a problem because she has to inquire with head of

1 the department when she's scheduled to teach.

2 JUDGE RILEY: Right.

3 DR. PETER MOECK: And so it --

4 JUDGE RILEY: Okay.

5 DR. PETER MOECK: And so that person might not

6 be in for some reason -- so just the --

7 JUDGE RILEY: She'll have to schedule it around

8 that, right.

9 No, I understand that. But by all

10 means, if she -- we'll find a date where we can

11 reconvene.

12 DR. PETER MOECK: Yeah. Yeah. Yeah.

13 JUDGE RILEY: All right. Thank you very much.

14 (Whereupon, said hearing was

15 continued to July 8th, 2002

16 at 11:00 a.m.)

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